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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/844,938	04/27/2001	Erik K. Karell	60426-218;2000P09005US01	2261

24500 7590 03/28/2003

SIEMENS CORPORATION
INTELLECTUAL PROPERTY LAW DEPARTMENT
170 WOOD AVENUE SOUTH
ISELIN, NJ 08830

EXAMINER

TA, THO DAC

ART UNIT	PAPER NUMBER
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2833

DATE MAILED: 03/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicant No.

09/844,938

Applicant(s)

KARELL, ERIK K.

Examiner

Tho D. Ta

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 December 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

1. This action is in response to applicant's appeal brief received on January 06, 2003 and filed as Paper No. 7. The finality of the last office action is hereby withdrawn following is an action on the merits.

2. In view of the appeal brief filed on 12/27/02, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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Claim 1 recites the limitation "the connector portion" on lines 6 and 7. There is insufficient antecedent basis for this limitation in the claim.

Claim 4 recites the limitation "the electrical conductor" on line 7. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Romann et al. (5,584,704).

In regard to claim 1, Romann discloses a fuel injector assembly, comprising: a body portion 2 that houses fuel injector components (this feature is seen to be an inherent teaching of that device since it is apparent that some type of components must be present in the body portion 2 for the fuel injector assembly to function as intended); an electrical interface portion 10 supported by the body portion 2; and at least one deformable connector member 9 supported on the interface portion 10 (column 4, lines 13-15), the deformable connector member 9 having at least one edge that is adapted to penetrate (column 4, line 34-38) an insulation covering on an electrical conductor 5 to thereby electrically couple the electrical interface portion 10 to the electrical conductor 5 (column 4, lines 33-44).

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In regard to claim 2, Romann discloses a plurality of connector members 9, each comprising a barb of flexible metal material (column 4, line 34-38).

In regard to claim 3, Romann discloses that the electrical interface portion 10 at least partially extends outwardly and away (in a vertical direction with respect to Fig. 6) from the body portion 2 and the deformable connector member 9 is outside of the body portion 2.

In regard to claim 4, Romann discloses a fuel injector assembly, comprising: a body portion 2 that houses fuel injector components (this feature is seen to be an inherent teaching of that device since it is apparent that some type of components must be present in the body portion 2 for the fuel injector assembly to function as intended); an electrical interface portion 10 supported by the body portion 2; at least one deformable connector member 9 supported on the interface portion 10 (column 4, lines 13-15); and at least one conductor 5 having an insulation covering on a conductive portion, the deformable connector member 9 having at least one edge that is penetrated (column 4, line 34-38) through the insulation covering and making electrical contact with the electrical conductor 5 (column 4, lines 33-44).

In regard to claim 5, Romann discloses a plurality of connector members 9, each comprising a barb of flexible metal material (column 4, line 34-38).

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In regard to claim 6, Romann discloses a securing member 3 placed over the conductor 5 and the connector member 9.

In regard to claim 7, Romann discloses that the securing member 3 comprises plastic that is molded over the conductor 1 and the connector member 9 (column 6, lines 25-29).

In regard to claim 8, Romann discloses that the securing member 3 comprises a seal (this feature is inherent due to the overmold).

In regard to claim 9, Romann discloses that the securing member 3 comprises a plastic material.

In regard to claim 10, Romann discloses that the conductor 5 comprises a flexible conductor cable 1.

In regard to claim 11, Romann discloses a plurality of conductors 5 and a corresponding plurality of deformable connector members 9.

In regard to claim 12, Romann discloses a method of making an electrically conductive connection between an electrical interface 10 on a fuel injector that has at least one deformable connector member 9 and an electrical conductor 5, comprising the

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steps of positioning a portion of the conductor 5 near the deformable connector member 9; and deforming the deformable connector member 9 (by crimping, column 4, line 34-38) to establish an electrically conductive connection between the electrical interface 10 and the conductor 5.

In regard to claim 13, Romann discloses the step of crimping (column 4, line 34-38) the deformable member 9 onto the conductor 5.

In regard to claim 14, Romann discloses at least partially penetrating (column 4, line 34-38) the conductor 5 with a portion of the deformable connector member 9 to establish an electrically conductive coupling through the deformable connector member 9.

In regard to claim 15, Romann discloses the step of covering the deformable connector member 9 and an associated portion of the conductor 5 after performing the deforming step (column 6, lines 25-29).

In regard to claim 16, Romann discloses the step of molding a plastic material onto the connector member 9 and the associated portion of the conductor 5 (column 6, lines 25-29).

In regard to claim 17, Romann discloses a step of placing a seal 3 over the connector member 9 and the associated portion of the conductor 5.

Response to Arguments

7. Applicant's arguments with respect to claims 1-17 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tho D. Ta whose telephone number is (703) 308-0800. The examiner can normally be reached on M-F (8:00-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on (703) 308-2319. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

tdt
March 20, 2003



**THO D. TA
PRIMARY EXAMINER**



**P. AUSTIN BRADLEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800**